

01
02
03
04
05
06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
08 AT SEATTLE

09 UNITED STATES OF AMERICA,)
10) CASE NO. MJ 12-196
11 Plaintiff,)
12 v.)
13 SANTIAGO BARAJAS-MADRIGAL,)
14 Defendant.)
15)
16)

17 Offense charged: Illegal Reentry after Deportation, Title 8, U.S.C. § 1326(a)

18 Date of Detention Hearing: April 18, 2011.

19 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
20 based upon the factual findings and statement of reasons for detention hereafter set forth, finds
21 that no condition or combination of conditions which defendant can meet will reasonably
22 assure the appearance of defendant as required and the safety of other persons and the
23 community.

24 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

25 1. Defendant is reportedly a citizen of Mexico.

01 2. The United States alleges that his presence in this country is illegal. There is an
02 immigration detainer pending or about to be filed against him. The issue of detention in this
03 case is therefore essentially moot, as the defendant would be released to immigration custody if
04 not detained in this case.

05 3. Defendant has had previous convictions for theft, driving while intoxicated, and
06 resisting arrest search or transport.

07 4. Defendant and his counsel offer no opposition to entry of an order of detention.

08 5. Upon advice of counsel, defendant declined to be interviewed by Pretrial
09 Services. Therefore, there is limited information available about him.

10 6. There does not appear to be any condition or combination of conditions that will
11 reasonably assure the defendant's appearance at future Court hearings while addressing the
12 danger to other persons or the community.

13 It is therefore ORDERED:

- 14 1. Defendant shall be detained pending trial and committed to the custody of the Attorney
15 General for confinement in a correction facility separate, to the extent practicable, from
16 persons awaiting or serving sentences or being held in custody pending appeal;
- 17 2. Defendant shall be afforded reasonable opportunity for private consultation with
18 counsel;
- 19 3. On order of the United States or on request of an attorney for the Government, the
20 person in charge of the corrections facility in which defendant is confined shall deliver
21 the defendant to a United States Marshal for the purpose of an appearance in connection
22 with a court proceeding; and

4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United State Pretrial Services Officer.

DATED this 18th day of April, 2011.

s/ Dean Brett
Dean Brett
United States Magistrate Judge